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Patent

Attorney's Docket No. 016800-224

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U.S.  
PTO  
06/19/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

**Box PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a [X] continuation [ ] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 08/886.245 filed on July 1, 1997, for PHOTOPROTECTIVE/COSMETIC COMPOSITIONS COMPRISING DIBENZOYLMETHANE/TRIAZINE/DIPHENYLACRYLATE COMPOUNDS, by the following named inventor(s):

- (a) Full Name Delphine ALLARD  
(b) Full Name Serge FORESTIER  
(c) Full Name \_\_\_\_\_

- [X] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- [ ] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

1. [X] Enclosed is a copy of the prior Application No. 08/886.245 as originally filed on July 1, 1997, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. [ ] Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.

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3. [ ] \_\_\_\_\_ statement(s) claiming small entity status [ ] are enclosed [ ] were filed in prior Application No. \_\_\_, filed on \_\_\_.
4. [X] The filing fee is calculated below [X] and in accordance with the enclosed preliminary amendment:

| CLAIMS   |               |            |              |             |                 |
|--|---------------|------------|--------------|-------------|-----------------|
|  | NO. OF CLAIMS |            | EXTRA CLAIMS | RATE        | FEE             |
| Basic Application Fee  |               |            |              |             | \$790.00        |
| Total Claims   | 20            | MINUS 20 = | -            | x \$22.00 = | -               |
| Independent Claims   | 1             | MINUS 3 =  | -            | x \$82.00 = | -               |
| If multiple dependent claims are presented, add \$270.00                   |               |            |              |             | -               |
| Total Application Fee  |               |            |              |             | 790.00          |
| If small entity status is claimed, subtract 50% of Total Application Fee   |               |            |              |             | -               |
| Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed |               |            |              |             | -               |
| <b>TOTAL APPLICATION FEE DUE</b>   |               |            |              |             | <b>\$790.00</b> |

5. [ ] Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6. [X] A check in the amount of \$ 790.00 is enclosed for the fee due.
7. [X] The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
8. [X] Cancel in this application original claims 1-21 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. [X] Amend the specification by inserting before the first line the sentence: This application is a [X] continuation, [ ] divisional, of Application No. 08/886,245, filed July 1, 1997. --
10. [ ] Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is

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enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)

11. [ ] New drawings are enclosed.
12. [X] Priority of Application No. 96-08172 filed on July 1, 1996 in France (country) is claimed under 35 U.S.C. § 119.

[X] The certified copy of the priority application

[ ] is enclosed

[X] was filed on July 1, 1997 in prior Application No. 08/886,245, filed on July 1, 1997

[ ] has not yet been filed.

13. [X] A preliminary amendment is enclosed.

14. [ ] Also enclosed \_\_\_\_\_.

15. [X] The power of attorney in the prior application is to Norman H. Stepno, Reg. No. 22,716,  
and all partners of Burns, Doane, Swecker & Mathis, L.L.P.

- a. [X] The power appears in the original papers in the prior application.
- b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [ ] Recognize as Associate Attorney \_\_\_\_.
- d. [X] Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

NORMAN H. STEPNO  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

JUNE 19, 1998  
Date

By:

Norman H. Stepno  
Registration No. 22,716

ADDRESS OF  
SIGNATOR:

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inventor(s)  
 assignee of complete interest  
 attorney or agent of record  
 filed under 37 C.F.R. § 1.34(a)

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